

Amendments to House Bill No. 491
1st Reading Copy

Requested by Representative Steve Lavin

For the House Transportation Committee

Prepared by Dave Bohyer
February 20, 2015 (10:03am)

1. Title, line 6 through line 9.

Strike: "PROVIDING" on line 6 through "CONVICTIONS" on line 9

Insert: "CLARIFYING ELIGIBILITY"

2. Page 5, line 8 through line 12.

Strike: subsection (4) in its entirety

Insert: "(4) A person is eligible to participate in and a court may compel a person to participate in a sobriety program if the person:

(a) is charged with violating 61-8-465; or

(b) (i) is charged with or has been convicted of violating 61-8-401 or 61-8-406; and

(ii) at any time in the 10 years preceding the date of the current charge or conviction:

(A) has been convicted in this state of a violation of 61-8-401, 61-8-406, of 61-8-465;

(B) has been convicted of a violation of a statute or regulation in another state or on a federally recognized Indian reservation that is similar to 61-8-401, 61-8-406, or 61-8-465; or

(C) has forfeited bail or collateral deposited to secure the defendant's appearance in court in this state, in another state, or on a federally recognized Indian reservation for a charge of violating 61-8-401, 61-8-406, 61-8-465 or a similar statute or regulation and the forfeiture has not been vacated.

(5) As used in this section, "conviction" has the meaning provided in 45-2-101."

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